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NO. 290 P. 2

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dalgetty et al.

Attorney Docket No.: XENOP008/PXE-036.US

Application No.: 10/081,040

Examiner: DIXON, Annette Fredricka

Filed: February 20, 2002

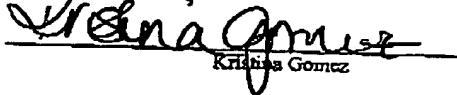
Group: 3771

Title: Multiple Output Anesthesia System

Confirmation No.: 8481

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to fax number 571-273-8300 to the U.S. Patent and Trademark Office on November 2, 2006.

Signed: 

Kristina Gomez

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement dated October 16, 2006, Applicants hereby elect, with traverse, Group I, claims 1-13 and 23-30 to prosecute in the above-identified patent application.

Applicants respectfully traverse restriction between Groups I and II. In the Restriction Requirement dated October 16, 2006, the Examiner restricted Group I from Group II on a combination (Group II)/sub-combination basis (Group I). More specifically, the Restriction Requirement states that "the combination, Group II, as claimed does not require the particulars of the subcombination, Group I, as claimed because the combination does not require the use of an imaging box having a camera mounted to the interior cavity" However, independent claim 14 (in Group II, the combination) recites "an imaging box having a set of walls enclosing an interior cavity and a camera mount configured to position the camera relative the interior cavity".

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The rationale for restriction is thus inconsistent with the claim language. Applicants respectfully request that Groups I and II be prosecuted together.

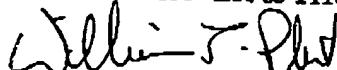
In response to the Election of Species in Group I, Applicants hereby elect, with traverse, group I, claims 1-13 to prosecute in the above-identified patent application.

In this instance, Applicants respectfully submit that searching claims 1-13 and 23-30 together would not pose an undue searching burden since claims 1-13 and 23-30 were both classified under class 128, subclass 203.12. Applicants respectfully request that claims 1-13 and 23-30 be prosecuted together.

If any fees are due in connection with the filing this Response to Restriction Requirement, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-0388 (Order No. XENOP008).

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP



William J. Plut

Limited Recognition No. L0079

P.O. Box 70250
Oakland, CA 94612-0250
Telephone: (650) 961-8300

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BEYER WEAVER & THOMAS, LLP

INTELLECTUAL PROPERTY LAW

590 W. El Camino Real, Mountain View, CA 94040
Telephone: (650) 961-8300 Facsimile: (650) 961-8301
www.beyrclaw.com

FACSIMILE COVER SHEET

November 2, 2006

Receiver: USPTO, Examiner Annette Fredricka DIXON, Group 3771

TEL #:

FAX #: 571-273-8300

Sender: William J. Plut

Our Ref. No.: XENOP008

Re: 10/081,040

Pages Including Cover Sheet(s): 3

MESSAGE:

Enclosed for filing are:

(1) Response to Restriction Requirement (2 pgs.)

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